

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO

Joshua Dexter Byers  
(ENTER ABOVE THE NAME OF THE PLAINTIFF IN THIS ACTION)

IF THE PLAINTIFF IS A PRISONER: PRISONER # 755-981

vs.

Ohio Department of Rehabilitation and Corrections  
(ENTER ABOVE THE NAME OF THE DEFENDANT IN THIS ACTION)

IF THERE ARE ADDITIONAL DEFENDANTS PLEASE LIST THEM:

Kyle Moody - (Corrections Officer)  
Chaye Harris - Lect Warden  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1:19CV661

J. BLACK  
M.J. BOWMAN

RECEIVED

AUG 14 2019

RICHARD W. NAGEL  
Clerk Of Court  
CINCINNATI, OHIO

COMPLAINT

I. PARTIES TO THE ACTION:

PLAINTIFF: PLACE YOUR NAME AND ADDRESS ON THE LINES BELOW. THE ADDRESS YOU GIVE MUST BE THE ADDRESS THAT THE COURT MAY CONTACT YOU AND MAIL DOCUMENTS TO YOU. A TELEPHONE NUMBER IS REQUIRED.

Joshua Dexter Byers #755-981  
NAME - FULL NAME PLEASE - PRINT

PO Box 56  
ADDRESS: STREET, CITY, STATE AND ZIP CODE

Lebanon, Oh 45036

(740) 415-7252  
TELEPHONE NUMBER

IF THERE ARE ADDITIONAL PLAINTIFFS IN THIS SUIT, A SEPARATE PIECE OF PAPER SHOULD BE ATTACHED IMMEDIATELY BEHIND THIS PAGE WITH THEIR FULL NAMES, ADDRESSES AND TELEPHONE NUMBERS. IF NO ADDITIONAL PLAINTIFFS EXIST CONTINUE WITH THIS FORM.

PAGE 2 AND 3 OF THIS FORM DEAL ONLY WITH A PLAINTIFF THAT IS INCARCERATED AT THE TIME OF FILING THIS COMPLAINT.

IF YOU ARE A PRISONER FILING A CIVIL SUIT THE FOLLOWING INFORMATION IS  
REQUIRED:

PREVIOUS LAWSUITS:

- A. HAVE YOU BEGUN OTHER LAWSUITS IN STATE OR FEDERAL COURT DEALING  
WITH THE SAME FACTS INVOLVED IN THIS ACTION OR OTHERWISE RELATING  
TO YOUR IMPRISONMENT? YES ( ) NO ☒
- B. IF YOUR ANSWER TO A IS YES, DESCRIBE THE LAWSUIT IN THE SPACE BELOW.  
(IF THERE IS MORE THAN ONE LAWSUIT, DESCRIBE THE ADDITIONAL  
LAWSUITS ON ANOTHER PIECE OF PAPER, USING THE SAME OUTLINE.)

1. PARTIES TO THIS PREVIOUS LAWSUIT

PLAINTIFFS:


DEFENDANTS:


2. COURT (IF FEDERAL COURT, NAME THE DISTRICT: IF STATE COURT ,  
NAME THE COUNTY)

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3. DOCKET NUMBER

--

4. NAME OF THE JUDGE TO WHOM THE CASE WAS ASSIGNED

--

5. DISPOSITION (FOR EXAMPLE, WAS THE CASE DISMISSED? WAS IT  
APPEALED? IS IT STILL PENDING?)

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6. APPROXIMATE DATE OF THE FILING OF THE LAWSUIT

--

7. APPROXIMATE DATE OF THE DISPOSITION

--

PLACE OF PRESENT CONFINEMENT

Lebanon Correctional Inst

A. IS THERE A PRISONER GRIEVANCE PROCEDURE IN THIS INSTITUTION?  
YES ☒ NO ☐

B. DID YOU PRESENT THE FACTS RELATING TO YOUR COMPLAINT IN THIS STATE  
PRISONER GRIEVANCE PROCEDURE? YES ☒ NO ☐

C. IF YOUR ANSWER IS YES:

1. WHAT STEPS DID YOU TAKE?

I Completed an ICR, and sent  
a Kite to Institutional Warden  
and filed PREA.

2. WHAT WAS THE RESULT?

ICR is overdue, ICR not  
responded to. NO ACTION taken  
by ODRC Admin, Prea Investigation  
Pending 7/26/19

D. IF YOUR ANSWER IS NO, EXPLAIN WHY NOT.

E. IF THERE IS NO PRISON GRIEVANCE PROCEDURE IN THIS INSTITUTION, DID  
YOU COMPLAIN TO PRISON AUTHORITIES? YES ☐ NO ☐

F. IF YOUR ANSWER IS YES:

1. WHAT STEPS DID YOU TAKE?

2. WHAT WAS THE RESULT?

DEFENDANTS:

PLACE THE NAME AND ADDRESS OF EACH DEFENDANT YOU LISTED IN THE CAPTION ON THE FIRST PAGE OF THIS COMPLAINT. THIS FORM IS INVALID UNLESS EACH DEFENDANT APPEARS WITH FULL ADDRESS FOR PROPER SERVICE.

Le. c. t. Ohio department of Rehabilitation and Corrections

NAMES - FULL NAME PLEASE

3791 St Rt 63, Lebanon, Oh 45036

ADDRESS - STREET, CITY, STATE AND ZIP CODE

2. Chaye Harris 3791 St Rt 63

Lebanon, OH 45036

3. Kyle Moody 3791 St Rt 63

Lebanon, OH 45036

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

IF THERE ARE ADDITIONAL DEFENDANTS, PLEASE CONTINUE LISTING THEM.

## STATEMENT OF CLAIM

PLEASE WRITE AS BRIEFLY AS POSSIBLE THE FACTS OF YOUR CASE. DESCRIBE HOW EACH DEFENDANT IS INVOLVED. INCLUDE THE NAME OF ALL PERSONS INVOLVED. GIVE DATES AND PLACES.

DO NOT GIVE ANY LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES.

IF YOU HAVE A NUMBER OF DIFFERENT CLAIMS; PLEASE NUMBER AND SET FORTH EACH CLAIM IN A SEPARATE PARAGRAPH. USE AS MUCH SPACE AS YOU NEED. YOU ARE NOT LIMITED TO THE PAPERS WE GIVE YOU. ATTACH EXTRA SHEETS THAT DEAL WITH YOUR STATEMENT CLAIM IMMEDIATELY BEHIND THIS PIECE OF PAPER.

on 7/12/13 Kyle moody acted out of his Scope of duty's denying plaintiff outdoor rec, Also by calling the plaintiff a faggot, When asked why he does not like faggots Kyle moody has been written up before and pra'd by other inmates For foul and profane gay hate speech and Sexual harrasment, let the record reflect that Kyle moody discriminated against LGBTQ, and transgender inmates with profane "Gay" comments / and retaliation For any reports of such abuse, by allowing other inmates to Attack and target LGBTQ and transgender inmates. IECI Warden is aware of issues (see Attached) ODRC has policies and do not Comply or cause action when an officer acts out of ODRC policy. on 7/13/19 K moody tried to Intimate plaintiff, and used Faggot, go suck a Dick, Faggot NO" ICRS have been Comptel but IECI dosent do Anything About them, allowing Sexual harrasment, inappropriate supervision and abuse to inmates, weather LGBTQ, Straight or Trans gender.

## RELIEF

IN THIS SECTION PLEASE STATE (WRITE) BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT, CITE NO CASES OR STATUTES.

I would like the courts to find the plaintiff in favor, ODRP to step up stop the abuse, and neglect, the inappropriate supervision, sexual harassment and to award me the 2 million, so I can fund organizations to help fight civil rights violations, and prison reform organizations, and to cover pain and suffering, my PTSD, and the abuse I have subjected to, while ending employment for Kyle Moody Correctional Staff for Lebanon Correctional Institution.

And allowing people to know that LGBTQ inmates have a voice and matter, we are human too.

SIGNED THIS 28th DAY OF July 2019.

  
SIGNATURE OF PLAINTIFF